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PATENT CASE NO. 1005/2002
TECH CENTER 1005/2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Shen-Chun Kuo *et al.*

For Patent For: SYNTHESIS OF
TEMOZOLOMIDE AND ANALOGS

Serial No.: 10/050,768

Filed: January 16, 2002
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Group Art Unit: To Be Assigned

Examiner: To Be Assigned

Date: June 13, 2002

Schering-Plough Corporation
Kenilworth, New Jersey 07033-0530

Assistant Commissioner of Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

In accordance with applicants' duty of disclosure under 37 C.F.R. 1.56, the following information is submitted, pursuant to 37 C.F.R. 1.97 and 1.98, and may be material to the examination of this application. This submission is not an admission that the documents cited herein are prior art to the presently claimed invention.

U.S. Patent Documents

U.S. 5,260,291 A

COPY OF PAPERS
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Foreign Patent Documents

EP 0 252 682 A

GB 2 125 402 A

Other Documents

Wang, *et al.*, "Alternative Syntheses of the antitumor drug temozolomide avoiding the use of methyl isocyanates", Journal of Chemical Society, Chemical Communication, Chemical Society, Letchworth, GB, p. 1687-1688 (1994)

Wang, *et al.*, "Antitumor imidazotetrazines. Part 33. new syntheses of the antitumor drug temozolomide using 'masked' methyl isocyanates", J. Chem. Soc., Perkin Trans. 1(21):2783-2787 (1995)

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PATENT CASE: CD01352

Wang, *et al.*, "Synthetic studies of 8-carbamoylimidzo-[5, 1-D]-1, 2, 3, 5-tetraza n-4(3H)- one: a key- derivative of antitumor drug temozolomide", *Bioorg. Med. Chem. Lett.*, **6(2)**:185-188 (1996)

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Yongfeng Wang, "A new route to the antitumor drug temozolomide, but not thiotemozolomide", *Chem. Commun.*, 4:363-364 (1997)

TECH CENTER 1600/25

Wang, *et al.*, "Antitumor Imidazotetrazines. 35. New Synthetic Routes to the Antitumor Drug Temozolomide", *J. org. Chem.* **62(21)**:7228-7294 (1997)

Newlands, E.S., *et al.*, "Temozolomide: a review of its discovery, chemical properties, pre-clinical development and clinical trials", *Cancer Treat. Rev.*, **23(1)**:35-61 (1997)

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Wang, *et al.*, "Antitumor Imidazotetrazines. Part 36. Conversion of 5-Amino-Imidazole-4-Carboxamide toJournal of the Chemical Society, Perkin Transactions 1, Chemical Society, Letchworth, GB, 10:1669-1675 (1998)

Copies of these documents and a PTO-1449 Form are enclosed. The Examiner is kindly requested to make these documents of record and initial and return the PTO-1449 Form to evidence consideration of these references.

These references were cited in the International Counterpart to the above-identified case in a PCT International Search Report dated May 24, 2002. A copy of the Search Report is enclosed.

No fees, other than the fees necessary for the payment of a continuation application, are believed to be due with this submission. If any fees are determined to be due by this paper, the Commissioner is hereby authorized to deduct such fees from Account No. 19-0365.

Respectfully submitted,



William Lee
Reg. No. 46,100
Attorney for Applicants
(908) 298-2161

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231 ON June 13, 2002

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Sheet 1 of 1

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: CD01352		SERIAL NO.: 10/050,768	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				APPLICANT: SHEN-CHUN KUO et al.			
				FILING DATE: January 16, 2002		GROUP:	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	5,260,291	11/09/93	Lunt et al.	514	183	
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
	AO						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AP	02 252 682	07/01/87	EUROPE	C07D	487/04	X
	AQ	2 125 402	08/15/83	UNITED KINGDOM	C07D	487/04	X
	AR						
	AS						
	AT						
	AU						
	AV						
	AW						
	AX						
	AY						
	AZ						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	BA	Wang, et al., "Alternative Syntheses of the antitumor drug temozolomide avoiding the use of methyl isocyanates", Journal of Chemical Society, Chemical Communication, Chemical Society, Letchworth, GB, p. 1687-1688 (1994)					
	BB	Wang, et al., "Antitumor imidazotetrazines. Part 33. new syntheses of the antitumor drug temozolomide using 'masked' methyl isocyanates", J. Chem. Soc., Perkin Trans. 1(21):2783-2787 (1995)					
	BC	Wang, et al., "Synthetic studies of 8-carbamoylimidzo-5, 1-D!-1, 2, 3, 5-tetrazin-4(3H)-one: a key derivative of antitumor drug temozolomide", Bioorg. Med. Chem. Lett., 6(2):185-188 (1996)					
	BD	Yongfeng Wang, "A new route to the antitumor drug temozolomide, but not thiotemozolomide", Chem. Commun., 4:363-364 (1997)					
	BE	Wang, et al., "Antitumor Imidazotetrazines. 35. New Synthetic Routes to the Antitumor Drug Temozolomide", J. org. Chem. 62(21):7228-7294 (1997)					
	BF	Newlands, E.S., et al., "Temozolomide: a review of its discovery, chemical properties, pre-clinical development and clinical trials", Cancer Treat. Rev., 23(1):35-61 (1997)					
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	BH						
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Applicati n Number	10/050,768	
	Filing Date	January 16, 2002	
	First Named Inventor	Shen-Chun Kuo, et al.	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	14	Attorney Docket Number	CD01352

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Terminal Disclaimer	Form PTO 1449 (1 Page in duplicate); Copy of Int'l. Search Report (9 Pages); Cited References (10); Post Card
	<input type="checkbox"/> Small Entity Statement	
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William Y. Lee, Reg. No. 46,100
Signature	
Date	June 13, 2002

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: June 13, 2002	
Typed or printed name	William Y. Lee
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Applicant: Shen-Chun Kuo et al.
Serial No.: 10/050,768 Atty: WYL:sa
Filed: January 16, 2002 Case No: CD01352
For: SYNTHESIS OF TEMOZOLOMIDE AND ANALOGS

Enclosed:

- ☐ Application papers comprising:
 - ☐ Request for Filing Provisional Appln.
 - ☐ Request for Filing Patent Appln.
 - _____ pages of Specification
 - _____ pages of Claims
 - _____ pages of Abstract
 - _____ sheets of Drawing (formal/informal)
- ☐ Declaration/Power of Attorney
- ☒ Transmittal letter (PTO/SB/21; 1 Page)
- ☐ Amendment
- ☐ Notice of Appeal
- ☐ Appeal Brief (in triplicate)
- ☐ Petition for Extension of Time
- ☐ Preliminary Amendment
- ☒ Information Disclosure Statement (2 Pages)
- ☒ Form PTO 1449 (1Page) in duplicate
- ☒ References 10 (ten)
- ☐ Response
- ☐ Issue Fee Transmittal/parts B & C
- ☐ Charge to Deposit Account No. 19-0365
in the amount of \$ _____
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- ☒ Copy of International Search Report (9 pgs.)
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- Express Mail Label No.: _____